

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Rafael Miguel ALICEA-Ruiz

Case No. 2:22-mj-385

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 31, 2022 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

Title 21 U.S.C. 841(a)(1), (b)(1)(B)  
(ii)

Possession with Intent to Distribute Cocaine

Title 21 U.S.C. 846

Conspiracy to Possess with Intent to Distribute Cocaine

This criminal complaint is based on these facts:

See attached affidavit, incorporated herein by reference

☐ Continued on the attached sheet.

Complainant's signature

Ryan E. Elsey, DEA Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/01/2022

City and state: Columbus, Ohio

Judge's signature

Chelsey M. Vascara, US Magistrate Judge

Printed name and title



**AFFIDAVIT**

I, Ryan E. Elsey, being first duly sworn, do depose and state:

1. I am employed as a Task Force Officer with the Drug Enforcement Administration (DEA), United States Department of Justice, and have been so employed since 2015. As such, I am an investigative or law enforcement officer within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Titles 18, 21 and 46 of the United States Code. As a task force officer with the DEA, I have participated in numerous narcotics investigations involving physical and electronic surveillance; execution of search and arrest warrants; the control and administration of confidential sources; international drug importations; and domestic drug distribution organizations. I have participated in the arrest and subsequent prosecution of numerous drug traffickers. I also have spoken on numerous occasions with informants, suspects, and experienced narcotics investigators concerning the manner, means, methods, and practices that drug traffickers use to further the operation of their drug trafficking organizations and the most effective methods of investigating and dismantling drug trafficking organizations.

2. This Affidavit is submitted for the limited purposes of establishing probable cause in support of a Criminal Complaint against Jesus Emanuel MALDONADO-Ortiz and Rafael Miguel ALICEA-Ruiz for knowingly and willfully Conspiring to Possess with Intent to Distribute Cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(ii), and knowingly and willfully Conspiring to Possess with Intent to Distribute Cocaine, in violation of Title 21, United States Code, Section 846. Because this Affidavit is being submitted for the limited purpose of establishing probable cause, it does not contain all of

the information known to me and other law enforcement officers involved in this investigation. The facts and information contained in this Affidavit are based on my personal knowledge and observations, as well as upon information received in my official capacity from other individuals, including other law enforcement officers involved in this investigation as well as my review of records, documents, and other physical items obtained during the course of this investigation.

3. On May 31, 2022, while on patrol in a marked cruiser and wearing the uniform of the day, Columbus Police Department officers initiated a traffic stop for numerous traffic violations, including multiple stop sign violations, on a gray 2008 Mercedes C300 bearing Ohio registration "JKK5337". Upon the officers' initial approach, the driver of the vehicle, Jesus Emanuel MALDONADO-Ortiz, was unable to provide any government-issued identification. A review of law enforcement databases revealed MALDONADO to be operating on a suspended operator's license, and he was subsequently removed from the vehicle and placed in investigative detention.

4. The officers then removed the right-front passenger, Rafael Miguel ALICEA-Ruiz, from the vehicle. In plain view on the right-front passenger floorboard, the officers observed a black handgun partially concealed beneath the right-front passenger seat, as well as two packages that the officers believed, based upon their training and experience, to be kilograms of narcotics. Based upon the location of the kilogram packages and the handgun, it's implausible to believe the occupants of the vehicle would have been unaware of their presence.



5. The ensuing probable cause search of the vehicle located an opened United States Postal Service (USPS) parcel in the vehicle. An examination of the shipping label revealed the parcel to have been sent from Puerto Rico to 1035 East 20<sup>th</sup> Avenue, Columbus, Ohio, addressed to "Miguel Gonzalez". Based upon my training and experience, I know that Puerto Rico is a significant source location for cocaine being sent to the continental United States for distribution. Additionally, based upon my training and experience, I know that USPS parcels are a favored method whereby drug traffickers can move multi-kilogram quantities of cocaine for distribution. All efforts by law enforcement to positively identify "Miguel Gonzalez" at 1035 East 20<sup>th</sup> Avenue, Columbus, Ohio, have been futile, indicating "Miguel Gonzalez" is likely a fraudulent identity. Based upon my training and experience, I know that drug traffickers will often utilize fraudulent sender and recipient information on their drug-laden parcels in an effort to conceal their true identities from law enforcement and avoid detection and interdiction. Based upon my


training and experience, I believe this collectively indicates the two kilograms of suspected cocaine were recently sent from Puerto Rico to 1035 East 20<sup>th</sup> Avenue secreted within the USPS parcel, and retrieved from within the opened parcel by MALDONADO and ALICEA.

6. An examination of the partially-concealed handgun by the officers revealed in to be a Glock Model 19 9mm, loaded with a magazine containing 15 rounds of ammunition. Additionally, a review of law enforcement databases revealed the Glock handgun to have been stolen from the Newark, Ohio, area.

7. A further review of law enforcement databases revealed that on September 7, 2021, uniformed officers from the Columbus Police Department conducted a traffic stop of a vehicle in which MALDONADO was the right-front passenger. During the course of this traffic stop, the vehicle's occupants, including MALDONADO, attempted to flee from the uniformed officers. Once MALDONADO was detained, a search of the vehicle revealed a loaded Sig Sauer P365 9mm pistol under the right-front passenger seat where MALDONADO was sitting. A check of the Sig Sauer's serial number through law enforcement databases revealed it to have been stolen in Columbus, Ohio. The search of this vehicle also revealed a digital scale, which I know, based upon my training and experience, to be consistent with ongoing drug trafficking activities.

8. Based on the foregoing facts, I submit that probable cause exists to believe that MALDONADO and ALICEA did knowingly and willfully Possess with Intent to Distribute Cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(ii), and knowingly and willfully Conspire to Attempt to Possess with Intent to Distribute Cocaine, in violation of Title 21, United States Code, Section 846.

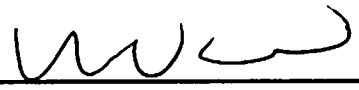
FURTHER AFFIANT SAYETH NAUGHT.

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Ryan E. Elsey  
Task Force Officer  
Drug Enforcement Administration

Subscribed and sworn to before me  
this 1 day of June, 2022.

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Honorable Chelsey M. Vascara  
United States Magistrate Judge  
Southern District of Ohio